

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2009 RULEMAKING CALENDAR

SCHEDULE A: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2008

Subject: Safer Alternatives Regulations R-2009-01		CCR Title & Sections Affected: Title 22, division 4.5		Statute(s) Being Implemented: Health and Safety Code 25252 and 25253	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Peggy Harris (916) 324-7663	Projected Dates:			
		Notice Published: 9/09	Public Hearing: 10/09	Adoption by your agency: 12/09	To OAL for review: 12/09

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2009 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Waste Code Revision R-98-03		CCR Title & Sections Affected: Title 22: 66261.1, 66261.20, 66261.21, 66261.22, 66261.23, 66261.24, 66261.101, 66261.107, 66261.126, appendix XII of chapter 11, 66262.11, appendix of chapter 12, 66264.13, 66264.71, 66265.13, and 66265.71		Statutes Being Implemented: Health and Safety Code sections 25160.1 and 58012	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Evelia Rodriguez (916) 322-3810	Projected Dates:			
		Notice Published: 09/09	Public Hearing: 10/09	Adoption by DTSC: 12/09	To OAL for review: 12/09
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The Department is reviewing the draft rulemaking package prior to public notice.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2009 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Management Requirements for Hazardous Wastes Containing Precious Metals Regulation R-2001-12		CCR Title & Sections Affected: Title 22: 66266.100(f)		Statutes Being Implemented: Health and Safety Code sections 25150 and 58012	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Ed Nieto (916) 322-7893	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The Department has decided not to proceed with this rulemaking at this time.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2009 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Assessment of Administrative Penalties--Revision R-2003-06		CCR Title & Sections Affected: Title 22: 66272.60-66272.69		Statutes Being Implemented: Health and Safety Code sections 25187 and 25404.1.1	
Responsible Agency Unit: Office of Legal Counsel		Contact Person & Phone Number: James Grace (916) 255-3647		Projected Dates:	
				Notice Published: 05/09	Public Hearing: 06/09
				Adoption by DTSC: 08/09	To OAL for review: 08/09
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The Department is reviewing this draft rulemaking package prior to public notice. Current regulations exist; however, the content is inadequate.</p>					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Permit by Rule for Seized Fireworks R-2003-16		CCR Title & Sections Affected: Title 22: 67450.31 through 67450.39		Statutes Being Implemented: Health and Safety Code sections 25150 and 58012	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Ed Nieto (916)322-7893	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking is on hold until the treatment unit for seized fireworks is operational.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Water Quality Monitoring Requirements for Hazardous Waste Land Disposal Units R-2004-11		CCR Title & Sections Affected: Title 22: 66264.90, 66264.94, 66264.97, 66264.98, 66264.99, 66264.100, 66265.90, 66265.91, 66265.97, 66265.98, and 66265.99		Statutes Being Implemented: Health and Safety Code sections 25150 & 25159.5	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: William Beckman (916) 324-8293	Projected Dates:			
		Notice Published: 05/09	Public Hearing: 07/09	Adoption by DTSC: 09/09	To OAL for review: 09/09
Report on the status of all uncompleted rulemaking described on previous calendars: Regulatory Concept Workshop occurred on 03/30/07. The Department is reviewing the draft rulemaking prior to public notice.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008.

Subject: Class 1 Permit Modifications R-2005-10		CCR Title & Sections Affected: Title 22: 66270.42 and 66270.42.5		Statutes Being Implemented: Health and Safety Code sections 25200.15, 25150 and 58012	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Evelia Rodriguez (916)322-3810	Projected Dates:			
		Notice Published: 10/09	Public Hearing: 12/09	Adoption by DTSC: 2/10	To OAL for review: 2/10
Report on the status of all uncompleted rulemaking described on previous calendars: The Department will proceed with this rulemaking since resources are now available.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Land Disposal Restriction-RCRA Consistency R-2007-01		CCR Title & Sections Affected: Title 22: Chapter 18		Statutes Being Implemented: Health and Safety Code, sections 25150 and 25159.5	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Lorna Kirby (916) 324-2431	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: 06/09	To OAL for review: 06/09
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>DTSC is revising the regulations through a streamline adoption (Health & Safety Code, sec. 25159.1)) to address U.S. Environmental Protection Agency comments identified in the Resource Conservation and Recovery Act Authorization process.</p>					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Corrective Action Management Unit (RCRA Consistency) R-2007-02		CCR Title & Sections Affected: Title 22: 66264.552		Statutes Being Implemented: Health and Safety Code, sections 25150 and 25159.5.	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Ed Nieto (916) 322-7893	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: The US Environmental Protection Agency has informed the Department that no regulatory changes are needed to the Corrective Action Management Unit regulations for authorization for the Resource Conservation and Recovery Act. The Department will not proceed with this rulemaking.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Extending Post Closure Care R-2007-05		CCR Title & Sections Affected: Title 22: Chapter 14 & 15 articles 7 and 8		Statutes Being Implemented: Health and Safety Code section 25245	
Responsible Agency Unit: Enforcement and Emergency Response Program	Contact Person & Phone Number: Keith Kihara 916-255-3628	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking has been combined with R-2007-06, Financial Assurance.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Financial Assurance R-2007-06		CCR Title & Sections Affected: Title 22: sections 66260.10, 66264.101, 66264.117, 66264.141, 66264.143, 66264.144, 66264.145, 66264.147, 66264.151, 66265.117, 66265.141, 66265.143, 66265.144, 66265.145, and 66265.147		Statutes Being Implemented: Health and Safety Code section 25245, 25200.10, and 25355.2	
Responsible Agency Unit: Office of Legal Counsel		Contact Person & Phone Number: James Grace (916) 255-3647 Keith Kihara (916) 255-3628		Projected Dates:	
		Notice Published: 3/09	Public Hearing: 4/09	Adoption by DTSC: 6/09	To OAL for review: 6/09
Report on the status of all uncompleted rulemaking described on previous calendars: The draft rulemaking is undergoing review prior to public notice.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Electronic Submittal of Information R-2007-12		CCR Title & Sections Affected: Title 22: division 4.5, sections 67400.1 - 67400.49		Statutes Being Implemented: AB 2144 (stats. 2006, ch. 562), Health and Safety Code section 57013	
Responsible Agency Unit: Office of Data Evaluation and Environmental Indicators	Contact Person & Phone Number: Shannon Similai (916) 323-3397 and Sandra Nies (916) 445-2948	Projected Dates:			
		Notice Published: 8/09	Public Hearing: 10/09	Adoption by DTSC: 12/09	To OAL for review: 12/09
Report on the status of all uncompleted rulemaking described on previous calendars: An internal departmental workgroup (E-data team) has been assessing the data needs for electronic reporting. The workgroup has consulted with the Water Resources Control Board and California Environmental Protection Agency regarding regulations already in place for electronic submittal of information.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Permit by Rule for Onsite Treatment of Metallic Phosphide R-2007-15		CCR Title & Sections Affected: Title 22: 67450.11		Statutes Being Implemented: Health and Safety Code sections 25150, 25200.17 and 58012	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Charles Corcoran (916) 327-4499	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: The Department has decided not to proceed with this rulemaking at this time.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Management of Ammunition R-2008-01		CCR Title & Sections Affected: Title 22: article and sections to be determined		Statutes Being Implemented: Health and Safety Code sections 25150 and 25201	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Charles Corcoran (916) 327-4499	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: This rulemaking is on hold pending further research.					

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SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2008

Subject: Dental Amalgam R-2009-02		CCR Title & Sections Affected: Title 22: section 67450.20		Statutes Being Implemented: Health and Safety Code section 25201.5	
Responsible Agency Unit: Office of Legislative and Regulatory Policy	Contact Person & Phone Number: Matthew Mullinax (916) 324-0064	Projected Dates:			
		Notice Published: 9/09	Public Hearing: 11/09	Adoption by DTSC: 2/10	To OAL for review: 2/10
Report on the status of all uncompleted rulemaking described on previous calendars: The Department is currently researching and developing this rulemaking regarding options to treat onsite dental amalgam waste.					